



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL
CLEANUP

DEC 13 2012

The Honorable Harry Smiskin
Chairman
Yakama Nation Tribal Council
P.O. Box 151
Toppenish, Washington 98948

Dear Chairman Smiskin:

I have been advised by Jeffrey Fowlow, a member of my staff, that the U.S. Environmental Protection Agency has identified a release or threat of release of a hazardous substance into the environment near Wapato, Washington. An estimated 390 cubic yards of debris that may contain asbestos contamination, originating from the July 2012 demolition of Wapato High School, has been deposited at a residential property located at 3960 Ashue Road in Wapato. Asbestos is a hazardous substance under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §§ 9601 et seq.

As far as we understand, prior to the demolition of the school, an abatement project had been conducted at the school to remove all known asbestos from the building. Due to concerns that the remaining demolition debris at the Ashue Road property may pose an airborne threat to public health, the EPA responded on October 5, 2012 to a request from Yakama Nation Solid Waste to assess the debris pile for additional asbestos. When on site, Mr. Fowlow met with representatives of the Yakama Nation and collected samples from the debris pile. Analytical results of the samples indicate the presence of asbestos in some of the samples collected.

The EPA recognizes its unique legal relationship with Tribal governments as set forth in the United States Constitution, treaties, statutes, executive orders, and court decisions. The EPA has established a policy to have regular and meaningful consultation with Indian Tribal governments when making decisions on matters affecting their communities and resources. We would like to offer you the opportunity to consult with us regarding whether further assessment and/or cleanup needs to be conducted.

If you are interested in consulting with us on this matter, please reply to me at (206) 553-1847, or contact Calvin Terada, Manager, Emergency Response Unit, at (206) 553-4141, by January 15, 2013, and identify the Tribal contact we should work with to make the suitable arrangements. If you have technical questions regarding the site please contact Jeffrey Fowlow at (206) 553-2751.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Albright", with a long horizontal line extending to the right.

Richard Albright, Director
Office of Environmental Cleanup

cc: Yakama Nation Solid Waste, Loretta Zammarchi